

TWENTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,
February 19, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Oneal.	

Absent—Excused.

Neal. Woodul.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Williamson:

S. J. R. No. 22, A joint resolution "Proposing an amendment to the Constitution of the State of Texas by amending Section 1 of Article 6, and Section 33 and Section 40 of Article 16, of the Constitution of Texas, so as to permit officers of the National Guard, the National Guard Reserves, and the Officers Reserve Corps of the United States, and enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and Retired Officers of the United States Army, Navy, and Marine Corps, and Retired Enlisted Men

of the United States Army, Navy, and Marine Corps, to vote and to hold public office in Texas.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Hornsby:

S. B. No. 412, A bill to be entitled "An Act amending Article 133 of the Revised Civil Statutes 1925, raising the minimum and maximum amount of nursery inspection fees; providing that such fees collected by the Commissioner of Agriculture be paid to the State Treasurer; providing that such fees paid to the State Treasurer be credited to 'Special Nursery Inspection Fund; providing that such fund be appropriated and used by the Commissioner of Agriculture for salaries and expenses necessary for the proper enforcement of this Act; providing that the Comptroller of Public Accounts is authorized to draw his warrants against said fund upon accounts approved by the Commissioner of Agriculture; providing that the State Treasurer pay such warrants."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Small:

S. B. No. 413, A bill to be entitled "An Act providing that in counties of a certain population and property valuation, the sheriff may appoint certain deputies, with the consent of the commissioners' court; providing the means and manner of appointment and payment of salaries, and prescribing the maximum salary; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Small:

S. B. No. 414, A bill to be entitled "An Act to amend Article 1055 of Chapter 2, of Title 15, of the Code of Criminal Procedure, Revised Criminal Statutes of Texas, so as to provide for the payment of costs to officers by the county in any and all cases wherein the defendant is unable to pay his fine and lays his fine out in jail or satisfies and adjudge costs taxed against him as provided in Article 794 of Chapter 1, of Title 15, of the Code of Criminal Procedure, Revised Criminal Statutes of Texas."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Beck, by request:

S. B. No. 415, A bill to be entitled "An Act to provide two hundred thousand dollars (\$200,000), or as much thereof as may be necessary, of the appropriation made by Acts of the Forty-first Legislature, Third Called Session, Chapter 14, to be used for the payment of tuition of rural high school pupils; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Cousins:

S. B. No. 416, A bill to be entitled "An Act amending Section 9 of Article 8306 of the Revised Civil Statutes of the State of Texas of 1925, relating to the payment of expenses incident to the last sickness of a deceased employee resulting from an injury and of funeral benefit when such employee leaves no legal beneficiaries; and providing for the payment of burial expenses when such deceased employee leaves legal beneficiaries."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Cousins:

S. B. No. 417, A bill to be entitled "An Act providing that an employee sustaining an injury within the terms and provisions of the Workmen's Compensation Act shall be entitled to a hearing before the Industrial Accident Board within a reasonable time, and that the Industrial Accident Board shall have the authority to delay the time of such hearing when the association is paying compensation according to law, and is furnishing hospitalization or medical treatment or such employee has not reached his maximum recovery; and providing that no appeal shall be taken from the action of the Board in so delaying such hearing."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Greer:

S. B. No. 418, A bill to be entitled "An Act amending Section 3 and Section 7, Chapter 156 of the Acts of the Regular Session of the Fortieth Legislature so as to provide

that either the district clerk or a clerk appointed may discharge the duties of clerk of the administrative district; providing for term and compensation of the clerk."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Purl, Small, Holbrook:

S. B. No. 419, A bill to be entitled "An Act amending Article 6204, Revised Civil Statutes of 1925, as amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; and amending Article 6205, Revised Civil Statutes of 1925 as amended by Chapter 153, General and Special Laws of the Forty-first Legislature and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; and amending Article 6221, Revised Civil Statutes of 1925, as amended by Chapter 5, General Laws of the Second Called Session of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; and amending Articles 6215, Revised Civil Statutes of 1925, as amended by Chapter 307, General and Special Laws of the Forty-first Legislature, and as further amended by Chapter 82 of the General Laws of the Fifth Called Session of the Forty-first Legislature; and amending Article 6208, Revised Civil Statutes of 1925, as amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; so as to provide for the payment of pensions to Confederate Veterans who have resided in Texas for six years prior to the approval of their application, and for the payment of pensions of \$50.00 per month to married Confederate Veterans and of \$25.00 per month to all single Veterans and their widows, and for the payment of pensions monthly without requiring monthly proof of claims; and prescribing penalties for violation of the Act; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senators Stevenson, Purl:

S. B. No. 420, A bill to be entitled "An Act to amend Chapter 10 of the Revised Civil Statutes of Texas

of 1925, by enacting a new Article to be known as 4905A providing for the regulation of insurance against loss by Lightning or Tornado or Windstorm or Hail, and of the rates to be collected in this State for such insurance, by the State Board of Insurance Commissioners, in the same manner and to the same extent as is now provided by law with respect to the writing of Fire Insurance and the rates of such insurance, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Patton:

S. B. No. 421, A bill to be entitled "An Act providing for the establishment of a Tuberculosis Sanatorium for negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing for its location, the acquisition by the State of a tract of land therefor not exceeding one thousand acres, the approval of title thereto, and authorizing the State to accept donations for said purpose; prescribing the kind, character and capacity of buildings to be erected thereon; the method of preparing plans and specifications; and requiring the architect to give bond to the State for the performance of his duties and fixing his compensation; providing for the State board of Control to have charge and supervision of said buildings and the appointment of officers and employees thereof; providing for the manner and method of operation and making appropriations for the operation and maintenance of same; classifying patients and specifying the manner, method and conditions of admission thereto; the treatment of patients and the method of reimbursement for expenses and the recovery of money due it for treatment of patients; providing for the admission of private patients and their treatment; of indigent patients and their treatment; and providing that all patients shall receive equal treatment; providing for the keeping of records and indexes of patients treated; specifying clothing and equipment of patients entering; providing for the promulgation of rules and regulations for the operation of said sanatorium; the term of office of superintendent and other officers; defining the word negro and providing that no white person shall be admitted as a patient in the state Tuberculosis sanatorium for negroes and that no negro person shall be admitted to the State Tuberculosis Sanatorium; and declaring an emergency."

torium for negroes and that no negro person shall be admitted to the State Tuberculosis Sanatorium; and declaring an emergency."

Read first time and referred to Committee on Finance.

Senators Excused.

Senator Neal was excused for the day, on motion of Senator Moore, on account of death in the family.

Senator Woodul was excused for the day on account of important business, on motion of Senator Hardin.

Senator Pollard was excused for the day, on account of important business, on motion of Senator Cousins.

Simple Resolution No. 51.

Senator Cunningham sent up the following resolution:

Whereas, the Cowboy Band of Simmons University, a group which is internationally known for its attainments will be enroute to Laredo for the International Washington Day celebration, February 20th; and

Whereas, this famous Band will be in Austin on the morning of February 20th, between the hours of ten and twelve; therefore be it,

Resolved That G. B. Sandefer, Manager of the Cowboy Band be invited to bring said Band to the Senate Chamber at Eleven o'clock in order that they might compliment the members of the Senate with a concert; and be it further,

Resolved, That Governor Ross S. Sterling, former Governor Dan Moody and the members of the House of Representatives be invited to attend this band concert.

CUNNINGHAM.

Read and adopted.

S. B. No. 247 Re-referred

On motion of Senator Moore, S. B. No. 247, was withdrawn from the Committee on State Affairs and re-referred to the Committee on Finance.

Resolution Signed.

The Chair, Lieut. Governor Edgar Witt, gave notice of signing and did sign in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 21.

Senate Bill No. 392.

Senator Thomason called up from the table the following bill:

By Senator Thomason:
S. B. No. 392, A bill to be entitled "An Act making an appropriation for the benefit of Fastrill Common School District No. 10 of Cherokee County on account of the recent destruction of the school building and facilities in the territory now composing said District; directing the expenditure of said money and declaring an emergency."

Senator Purl sent up the following amendment:

Amend S. B. No. 392, by adding a new Section to be known as Section 2A, to read as follows:

Provided however none of the moneys herein appropriated shall be paid until the State Comptroller is furnished satisfactory evidence that 1500.00 has been paid to local trustee by local subscription or other wise."

PURL.

The amendment was read.

Senator Woodruff moved to table the amendment.

Senator Purl, by unanimous consent, withdrew the amendment.

The bill was passed to engrossment.

On motion of Senator Thomason the Constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 392 was put on its third reading final passage, by the following vote:

Yeas—27

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodward.
Moore.	

Nays—1.

Poage.

Absent—Excused.

Neal.	Woodul.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Oneal.	

Nays—3.

Cunningham.	Poage.
DeBerry.	

Absent—Excused.

Neal.	Woodul.
Pollard.	

Simple Resolution No. 52.

Senator Williamson sent up the following resolution:

Whereas, The City of San Antonio abounds in places of charm and beauty that are inseparably linked with the romantic history of our Lone Star State; and

Whereas, There is to be held in San Antonio from March 2nd to March 9th a Festival celebrating the Bi-Centennial Anniversary of the founding of the Spanish Governor's palace that has survived the vicissitudes of two centuries and now stands as a remarkable example of the architecture of the Spanish Colonial days and as memorial of the heroism of past generations; and

Whereas, The celebration will be honored by the presence of many notable persons, among them, his Eminence, Patrick Cardinal Hayes; and

Whereas, Cardinal Hayes is an outstanding dignitary of the Catholic Church, famed for his work among the poor, and for his services as Roman Catholic Bishop Chaplain of the United States Army during the World War; and

Whereas, The Senate of the State of Texas has, from time to time, invited distinguished visitors to Texas to address them;

Therefore, Be It Resolved, That

his Eminence, Patrick Cardinal Hayes, be invited to address the Senate of Texas during the week beginning March 2nd, and that the President of the Senate be authorized to appoint a committee to confer with him and ascertain the time most available for such an address; and to arrange the details, should he accept.

WILLIAMSON.

Read and adopted.

Senate Bill No. 200.

Senator Cousins called up from the table the following bill:

By Senator Cousins:

S. B. No. 200, A bill to be entitled "An Act fixing the salary of the County Superintendent of Public Instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for County Superintendent under the laws of this State; declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 156.

By an affirmative vote of four-fifths of the membership, the Senate granted consent to take up and consider the following bill:

By Senator Stevenson:

S. B. No. 156, A bill to be entitled "An Act to provide for acquiring and acceptance of title from Goliad county and the City of Goliad to certain lots and blocks of land, being parts of the four league grant from the State of Coahuila and Texas to the Town of Goliad; and providing for fencing, beautifying and improving said land, the same to be designated by name as 'Goliad State Park;' and declaring an emergency."

The bill was read second time and passed to engrossment by the following vote:

Yeas—20.

Beck.	Holbrook.
Berkeley.	Hopkins.
Cousins.	Hornsby.
Gainer.	Loy.
Greer.	Martin.
Hardin.	Moore.

Oneal.
Parr.
Patton.
Rawlings.

Russek.
Small.
Stevenson.
Thomason.

Nays—7.

Cunningham.
DeBerry.
Parrish.
Poage.

Purl.
Woodruff.
Woodward.

Absent.

Williamson.

Absent—Excused.

Neal.
Pollard.

Woodul.

On motion of Senator Stevenson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 156 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.
Berkeley.
Cousins.
Cunningham.
DeBerry.
Gainer.
Greer.
Hardin.
Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.

Oneal.
Parr.
Parrish.
Patton.
Poage.
Purl.
Rawlings.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodward.

Absent—Excused.

Neal.
Pollard.

Woodul.

Read third time.

Senator Oneal sent up the following amendment:

Add after line 8, page 3, printed bill, the words "Conditioned on the Attorney General of Texas approving the title to said property."

ONEAL.

Read and adopted unanimously.

The bill as amended was finally passed by the following vote:

Yeas—20.

Beck.
Berkeley.
Cousins.

Gainer.
Greer.
Hardin.

Holbrook.	Patton.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Oneal.	Thomason.
Parr.	Williamson.

Nays—8.

Cunningham.	Poage.
DeBerry.	Purl.
Moore.	Woodruff.
Parrish.	Woodward.

Absent—Excused.

Neal.	Woodul.
Pollard.	

Special Orders Set.

On motion of Senator Woodward, S. B. No. 371 was set as special order for tomorrow morning immediately following the morning call.

On motion of Senator Williamson, S. B. No. 178 and S. B. No. 126 were set as special orders immediately following the consideration of S. B. No. 371.

Senate Bill No. 21.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Holbrook:

S. B. No. 21, A bill to be entitled "An Act authorizing certain charitable and eleemosynary institutions incorporated under the laws of the State of Texas to exercise the right of eminent domain and condemnation within the confines of any incorporated city in this State having more than 43,000 inhabitants according to the United States census of 1920, which city is in a county having a population of less than 100,000 inhabitants according to said census; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 21 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Stevenson.
Oneal.	Thomason.
Parr.	Williamson.
Parrish.	Woodruff.
Patton.	Woodward.

Absent—Excused.

Neal.	Woodul.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodward.
Oneal.	

Nays—1.

Moore.

Absent—Excused.

Neal.	Woodul.
Pollard.	

Committee Appointed.

The Chair announced the appointment of the following committee called for by Senate S. R. No. 52:

Senators Williamson, Stevenson and Holbrook.

Adjournment.

On motion of Senator Purl, the Senate, at 12:15 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee on Enrolled Bills.**

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the Senate.
Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 6 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 11 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 407, A bill to be entitled "An Act to amend Section 9, Chapter 14, Acts Forty-first Legislature, Third Called Session, so as to provide for aid to consolidated districts formed subsequent to January 1, 1917, and prior to September 1, 1929, under certain conditions and regulations, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GREER, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 309, A bill to be entitled "An Act ratifying and validating the creation and all proceedings creating Oak Dale Common School District No. 60, of Erath County, Texas, with described boundaries; validating all Acts of the State and county school officials and trustees of said common school district in the expenditure and disbursement of school funds apportioned to said district, as well as all moneys derived from special school tax in said district, and within the boundaries thereof, as fixed; etc., and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

GREER, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

S. B. No. 248, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to pay out of Rural Aid Funds heretofore appropriated by the 41st Legislature, or out of funds to be appropriated by the 42nd Legislature, certain sums of money as reward for consolidation to the Powell Consolidated School District; the Brownsboro Independent School District; the Elkhart Independent School District; the Scurry-Rosser Independent School District and the Slocum Consolidated School District by adding to Chapter 14, Section 8-E, carrying out the hereinbefore mentioned purpose, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

GREER, Vice-Chairman

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

S. B. No. 278, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to pay out of the Rural Aid Funds heretofore appropriated by the 41st Legislature or out of funds to be appropriated by the 42nd Legislature certain sums of money as reward for consolidation to the Poyner School District and the Frankston Independent School District by adding to Chap 14, Sec. 8-E, carrying out the hereinbefore mentioned purpose and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

GREER, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of
the Senate.

Sir: We, your Committee on
Educational Affairs, to whom was re-
ferred,

S. B. No. 302, A bill to be entitled
"An Act to fix the maximum amount
of bonds which may be issued by,
and to fix the maximum rate of tax
to be levied for school purposes in
all independent school districts hav-
ing a population of more than 200,-
000 and less than 250,000, according
to the Federal census of 1930 or any
subsequent legally authorized cen-
sus, whether under general or special
law, repealing all laws in conflict
herewith, both general and special,
and declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with
the recommendation that it do pass.

GREER, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of
the Senate.

Sir: We, your Committee on
Educational Affairs, to whom was re-
ferred,

S. B. No. 73, A bill to be entitled
"An Act to amend Articles 2763, R.
S. 1925, relating to supervision of
independent districts of fewer than
500 scholastics; repealing all laws in
conflict herewith, and declaring an
emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with
the recommendation that it do not
pass.

GREER, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of
the Senate.

Sir: We, your Committee on
Educational Affairs, to whom was re-
ferred,

S. B. No. 222, A bill to be entitled
"An Act fixing the number and term
of office of school trustees of inde-
pendent districts having a popula-
tion of more than 200,000 by the
federal census of 1930; adjusting the
terms of trustees to conform to the
provisions of this Act; providing for
filling of all vacancies in office; re-
pealing all laws in conflict herewith,
and declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with
the recommendation that it do pass,
and be not printed.

GREER, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of
the Senate.

Sir: We, your Committee on
State Affairs, to whom was re-
ferred,

S. B. No. 110, A bill to be entitled
"An Act authorizing the acquisition
by the Government of the United
States of America of land, water, or
land and water, within the State of
Texas, for migratory bird reserva-
tions authorized by Act of Congress
of February 18, 1929."

Have had same under considera-
tion, and I am instructed to report
it back with recommendations that
it do pass, and be not printed in
lieu of advance printing.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 173, A bill to be entitled
"An Act to provide an old age re-
lief system for resident citizens over
the age of seventy years; providing
for the administration of the system
through the county commissioners
courts of the various counties in the
State and permitting the payment of
the old age relief and the expense
of the administration from the gen-
eral revenue of the county of which
the applicant is a resident; prescrib-
ing the qualifications of an applicant
for relief under the Act and permit-
ting the discontinuance of the relief
on conviction of an offense or upon
evidence of changed status of the
beneficiary; and fixing the punish-
ment of any applicant or other per-
son violating any of the provisions
of the Act, defining certain terms
used in the Act and identifying the
measure as the Old Age Relief Act
of the State of Texas."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendations that it do pass and
be not printed in lieu of advance
printing.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 241, A bill to be entitled
"An Act to amend Title 23 of the
Revised Civil Statutes of Texas of
1925, entitled 'Brands and Trade-
marks,' by adding thereto Articles
851-A and 851-B providing for the
cancellation of the filing of and with-
drawal from registration, by the Sec-
retary of State, labels, trade-marks,
designs, devices, imprints or forms
of advertisement heretofore or here-
after filed in accordance with Article
851 of the Revised Civil Statutes of
Texas of 1925, and providing for the
registration of similar or identical
labels, trade-marks, designs, devices,
imprints or forms of advertisement
by others; and declaring an emer-
gency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendations that it do pass and
be not printed in lieu of advance
printing.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 185, A bill to be entitled
"An Act to amend Article 2592 of
the Revised Civil Statutes of Texas,
1925."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

MOORE, Chairman.

Committee Room,
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 184, A bill to be entitled
"An Act validating the surveys of all
lands heretofore and hereafter made
and returned to the general land of-
fice which surveys are located in
whole or in part within the corporate
limits of any city, town or village
within this State; vesting the title to
lands included within the lines of
said surveys as returned to the Gen-
eral Land Office in the parties for

which same were made and their
heirs, successors, and assigns; creat-
ing rules of evidence to protect the
title to such surveys providing that
in all cases at law or equity involving
boundary, title or possessions of
lands wherein the location of any
survey within such corporate limits,
or the extent or boundaries thereof
shall be in issue the corners, lines
and boundaries thereof recognized at
the date of incorporation and ac-
quiesced in for a period of ten years
or more prior to the date of filing of
suit, shall be conclusively presumed
to be the original corners, lines and
boundaries of said survey; providing
that in all cases at law or equity in-
volving boundary, title or possession
of land where there is sought to be
established a vacancy between sur-
veys in an incorporated city, town,
or village, the field notes and maps
in use in the General Land Office at
the time of incorporation shall be
conclusive as to the existence or non-
existence of such alleged vacancy;
providing that if any part of this Act
is held unconstitutional, the remain-
ing parts shall not be affected, and
declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendations that it do pass with
committee amendments and be not
printed in lieu of advance printing.

MOORE, Chairman.

COMMITTEE AMENDMENTS TO S. B. No. 184.

Amendment No. 1.

In the first line of Section 1 im-
mediately after the word "hereto-
fore" strike out the words "or here-
after."

Amendment No. 2

Add at the end of Section 2 of said
bill the following words: "provided,
that said field notes and maps shall
have been on file in the General Land
Office in the State of Texas ten (10)
years before such conclusive pre-
sumption shall become effective."

Committee Room,
Austin, Texas, Feb. 17, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on Crim-
inal Jurisprudence, to whom was re-
ferred

H. B. No. 50, A bill to be entitled "An Act making it a misdemeanor to use a telephone in the office, place of business, or home of another person, firm or corporation, and have the charges, fees and tolls therefor charged to the person, firm or corporation in whose name the telephone so used is registered, without the consent of the person, firm or corporation in whose name such telephone is registered, and prescribing a penalty therefor."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 187, A bill to be entitled "An Act defining unfair discrimination and prohibiting any person, firm, company, association or corporation engaged in the production, manufacture, sale or distribution of any commodity in general use in this State, from discriminating between different sections, communities, incorporated cities or towns of this State, for the purpose of destroying the business of a competitor in any locality, or for the purpose of fixing, maintaining, increasing or reducing the price of such commodity by selling or distributing such commodity, or permitting the sale or distribution of such commodity, at a different rate or price in one section, community, incorporated city or town than is charged or permitted to be charged for said commodity by said party in another section, community, incorporated city or town, after making due allowance for the difference, if any, in the grade or quality, in the actual and necessary cost of transportation paid by the seller or distributor on said commodity and the reasonably necessary difference, if any, in the cost of marketing said commodity; making certain facts prima facie evidence of unfair discrimination; providing punishment, penalty and forfeiture for unfair discrimination as defined in said Act, making it the duty of the Attorney

General or the district or county attorney under his direction, to prosecute for the recovery of penalties and forfeitures herein provided, fixing venue of said suits, and fixing fees of district or county attorneys therein; providing that unfair discrimination shall be enjoined at the suit of the Attorney General or district or county attorney, acting under his direction, in the district court of any county of the State of Texas; providing that this Act shall be cumulative of all laws of this State and shall not be construed as repealing any law relating hereto; providing that if any portion of this Act shall be declared unconstitutional, the remaining portions thereof shall not be affected thereby; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

(Majority Report)

Committee Room,

Austin, Texas, Feb. 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred,

S. B. No. 123, A bill to be entitled "An Act providing that a prosecution for the unlawful sale or delivery of intoxicating liquor may be had either in the county wherein the sale or delivery is made, or in any county through or into which the intoxicating liquor is carried; providing that in all such cases the indictment or any proceeding in the case may allege that the offense was committed in the county where the prosecution is carried on; and providing for the manner of proving venue; and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with recommendation that it do pass.

SMALL, Chairman.

(Minority Report)

Committee Room,

Austin, Texas, Feb. 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your Com-

mittee on Criminal Jurisprudence, to whom was referred,

S. B. No. 123, A bill to be entitled "An Act providing that a prosecution for the unlawful sale or delivery of intoxicating liquor may be had either in the county wherein the sale or delivery is made, or in any county through or into which the intoxicating liquor is carried; providing that in all such cases the indictment or any proceedings in the case may allege that the offense was committed in the county where the prosecution is carried on; and providing for the manner of proving venue; and declaring an emergency."

Have had said bill under consideration, beg to report that we differ with the majority of the committee and we report said bill back to the Senate with recommendation that said bill do not pass.

PARR.
GAINER.

Committee Room,
Austin, Texas, Feb. 17, 1931.
Hon. Edgar E. Witt, President of
the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 98, A bill to be entitled "An Act exempting from taxation property owned by a church or a strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, which yields no revenue whatever to such church or society, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with recommendations that it do pass and be printed in the Journal.

MOORE, Chairman.

By Williamson, S. B. No. 98.

A BILL

To Be Entitled

An Act exempting from taxation, property owned by a church or strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, which yields no revenue whatsoever to such church or society, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby exempted from taxation any property

owned by a church or strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society and which property yields no revenue whatsoever to such church or society; provided that such exemption shall not extend to more property than is reasonably necessary for a dwelling place and in no event to more than one acre of land.

Sec. 2. The fact that Section 2, Article 8 of the Constitution was amended in 1928 so as to authorize this legislation but none has been heretofore had relative to the same, and the importance of the subject, creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule requiring all bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
February 20, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Hopkins.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Oneal.	

Absent—Excused.

Neal. Pollard.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.